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Express Mailing Label No. EV 554 500 759 US

PATENT APPLICATION

Docket: 16039.6

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fabrizio Alessandro Maspero et al.

Serial No.: 10/540,323 ✓

Filed: June 21, 2005

Confirmation No.: 1293

For: BIODEGRADABLE BIOCOMPATIBLE IMPLANT )



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VERNON R. RICE §  
OF COUNSEL

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements mailed December 9, 2005, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- ☒ A Combined Declaration and Power of Attorney executed by the inventors.
- ☐ An Assignment conveying the invention to \_\_\_\_\_, including a Form PTO-1595 recordation cover sheet.
- ☐ A Declaration Claiming Small Entity Status Pursuant to 37 C.F.R. § 1.9 and § 1.27.
- ☐ The present application claims entitlement to Small Entity Status under 37 CFR §§ 1.9 and 1.27.

02/08/2006 MKAYPAGH 00000058 10540323

01 FC:1617

130.00 OP

X A copy of the Notification of Missing Requirements.

X A Certificate of Express Mail under 37 C.F.R. § 1.10.

\_\_\_ To render the Response timely filed, enclosed are the following:

\_\_\_ Petition for a \_\_\_-Month Extension of Time; and

\_\_\_ Check No. \_\_\_ in the amount of \$\_\_\_ to cover the fee for the extension of time.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$370		\$740
TOT. CLAIMS	-20=		X 9=		X 18=	
IND. CLAIMS	-3=		X 42		X 84=	
MULTIPLE DEPENDENT CLAIM			+140=		+280=	
			<b>TOTAL</b>		<b>TOTAL</b>	

X Form PTO-2038 submitting Credit Card Payment in the amount of \$130.00 is enclosed to the surcharge fee pursuant to 37 C.F.R. § 1.16(e).

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 23-3178.

X Any additional filing fees required under 37 C.F.R. § 1.16.

X Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.

X Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. § 1.17.

\_\_\_ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

X A duplicate copy of this letter is enclosed.

Please address all future correspondence in connection with this case to the attention of the undersigned.

DATED this 6<sup>th</sup> day of February 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dana L. Tangren", with a long horizontal flourish extending to the right.

DANA L. TANGREN  
Attorney for Applicant  
Registration No. 37,246  
Customer No. 022913  
Telephone No. 801.533.9800



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,323	Fabrizio Alessandro Maspero	<del>16195.2</del>

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 (F/K/A WORKMAN NYDEGGER & SEELEY)  
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INTERNATIONAL APPLICATION NO.

PCT/EP03/14771

I.A. FILING DATE

12/23/2003

PRIORITY DATE

12/23/2002

DOCKETED  
 ACTION: MISS YES  
 Response Due 2/16/06  
 On 10/23/05  
 By guy File # 10039.6

CONFIRMATION NO. 1293

371 FORMALITIES LETTER



\*OC000000017620666\*

Date Mailed: 12/09/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/21/2005
- Copy of the International Search Report filed on 06/21/2005
- Preliminary Amendments filed on 06/21/2005
- Request for Immediate Examination filed on 06/21/2005
- U.S. Basic National Fees filed on 06/21/2005
- Priority Documents filed on 06/21/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,323	PCT/EP03/14771	16195.2

Express Mailing Label No. EV 554 500 759 US

PATENT APPLICATION  
Docket: 16039.6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

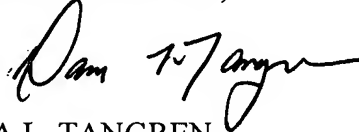
In re application of: )  
)  
Fabrizio Alessandro Maspero et al. )  
)  
Serial No.: 10/540,323 )  
)  
Filed: June 21, 2005 )  
)  
Confirmation No.: 1293 )  
)  
For: BIODEGRADABLE BIOCOMPATIBLE IMPLANT )

CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service as Express mail, postage prepaid, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6<sup>th</sup> day of February 2006:

- Response to Notification of Missing Requirements (3 pgs.) (in duplicate)
- Combined Declaration and Power of Attorney (4 pgs.)
- Copy of Notification of Missing Requirements (2 pages)
- Form PTO-2038 submitting Credit Card Payment in the amount of \$130
- Postcard

Respectfully submitted,



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